

KUTAK ROCK LLP

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Counsel Newtek Small Business Finance, LLC

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

IN RE: MARCANTONIO W. BARNES,

Debtor.

Case No. 23-11190-KHK

Chapter 11

ORDER DISMISSING DEBTOR'S CHAPTER 11 BANKRUPTCY CASE

Upon the motion (the “Motion”) of Newtek Small Business Finance, LLC (“Newtek”), for the entry of an order (the “Order”) pursuant to 11 U.S.C. § 1112(b) to dismiss or, in the alternative, convert Marcantonio W. Barnes’ (the “Debtor”) chapter 11 bankruptcy case; it appearing that cause exists to grant the Motion and dismiss the Debtor’s bankruptcy case and that such relief is just and proper for the reasons stated by the Court at the hearing on the Motion, and for good cause shown; the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; proper notice of the Motion having been provided to all necessary and appropriate parties, and no further notice being necessary; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED, ADJUDGED and DECREED that

1. The Motion is granted.
2. The above-captioned case shall be, and hereby is, dismissed.

3. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

4. Notwithstanding the dismissal of this case, the Debtor shall pay the Sub Chapter V Trustee's (the "Trustee") unpaid fees and expenses of \$4,346.59 and the Debtor shall not be entitled to file any subsequent bankruptcy before the repayment of such amounts.

5. The Trustee's duties shall be, and hereby are, terminated and his services as Trustee are discharged.

6. The parties to receive notice of the entry of this order pursuant to Local Rule 9022-1(B) shall be those that endorsing the order below.

Jun 25 2025

Dated: Jun 25 2025
Alexandria, Virginia

/s/ Klinette H Kindred
United States Bankruptcy Judge

We ask for this:

/s/ Michael A. Condyles
KUTAK ROCK LLP
Michael A. Condyles (VSB No. 27807)
Craig B. Young (VSB No. 22633)
1021 East Cary Street, Ste. 810
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michael.condyles@kutakrock.com
Counsel Newtek Small Business Finance, LLC

Seen and Agreed:

/s/ Bryson J. Hunter

Peter M. Pearl, Esquire (VSB #22344)
Bryson J. Hunter (VSB #46988)
Timothy J. Lovett (VSB #97438)
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Counsel to Carter Bank & Trust

Seen and not objected to:

/s/ Brad D. Jones

Marc E. Albert, Esq (VSB# 26096)
Brad D. Jones, Esq. (VSB # 85095)
Stinson LLP
1775 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20006
Telephone: (202) 728-3020
Fax: (202) 572-9999
marc.albert@stinson.com
brad.jones@stinson.com
Chapter 11 Subchapter V Trustee

Seen and objected to:

/s/ Daniel M. Press

Daniel M. Press (VSB# 37123)
Chung & Press, P.C.
6718 Whittier Ave., Suite 200
McLean, VA 22101
(703) 734-3800
dpress@chung-press.com
Counsel for Debtor

CERTIFICATION UNDER LOCAL BANKRUPTCY RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify under penalty of perjury that the foregoing proposed order has been endorsed by all necessary parties.

/s/ Michael A. Condyles
Counsel

In re:
Marcantonio W Barnes
Debtor

Case No. 23-11190-KHK
Chapter 11

District/off: 0422-9
Date Rcvd: Jun 25, 2025

User: halllinda
Form ID: pdford6

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Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol Definition

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 27, 2025:

Recip ID	Recipient Name and Address
+ Brad D. Jones, Esq.,	1775 Pennsylvania Avenue NW, Suite 800, Washington, DC 20006-4760

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 27, 2025

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 25, 2025 at the address(es) listed below:

Name	Email Address
Barry W. Spear	on behalf of Creditor Nationstar Mortgage LLC Barry.Spear@bww-law.com bankruptcy@bww-law.com
Barry W. Spear	on behalf of Creditor Nationstar Mortgage LLC Barry.Spear@bww-law.com bankruptcy@bww-law.com
Bradley M. Barna	on behalf of Creditor Oak Manor Homeowners Association bbarna@chadwickwashington.com
Brian K Jordan	on behalf of Creditor Nationstar Mortgage LLC bkecfinbox@alridgepte.com bjordan@ecf.inforuptcy.com
Bryson J. Hunter	on behalf of Creditor Carter Bank & Trust bhunter@spilmanlaw.com mguilliams@spilmanlaw.com
Christopher M McDermott	on behalf of Creditor Nationstar Mortgage LLC bkecfinbox@alridgepte.com CMM@ecf.inforuptcy.com

District/off: 0422-9

User: halllinda

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Date Rcvd: Jun 25, 2025

Form ID: pdford6

Total Noticed: 1

Daniel M. Press

on behalf of Debtor Marcantonio W Barnes dpress@chung-press.com pressdm@gmail.com;danpress@recap.email

Jack Frankel

on behalf of U.S. Trustee Matthew W. Cheney jack.i.frankel@usdoj.gov
USTPRegion04.ax.ecf@usdoj.gov;Robert.W.Ours@usdoj.gov

Jonathan Baird Vivona

on behalf of Creditor Witt & Co. LLC jvivona@vpbklaw.com, notices@vpbklaw.com

Keith M. Yacko

on behalf of Creditor Nationstar Mortgage LLC keiyacko@raslg.com ecfnotifications@mtglaw.com;kyacko@mtglaw.com

Marc Elliott Albert

marc.albert@stinson.com porsche.barnes@stinson.com;malbert@ecf.axiosfs.com

Matthew J. Troy

on behalf of Creditor United States of America matthew.troy@usdoj.gov USAVAE.ALX.ECF.CIVIL@usdoj.gov

Matthew W. Cheney

ustpregion04.ax.ecf@usdoj.gov

Michael A. Condyles

on behalf of Creditor Newtek Small Business Finance LLC michael.condyles@kutakrock.com,
lynda.wood@kutakrock.com;jeremy.williams@kutakrock.com

Peter M. Pearl

on behalf of Creditor Carter Bank & Trust ppearl@spilmanlaw.com scormany@spilmanlaw.com

Steven B. Ramsdell

on behalf of Creditor Regiane Coelho sramsstell@tbrclaw.com asemerjian@tbrclaw.com

TOTAL: 16